

REMARKS

Reconsideration of the Application respectfully is requested. For the reasons indicated hereafter, the Application is urged to be in condition for allowance.

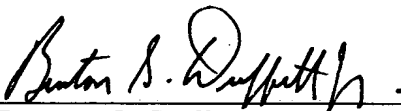
As requested by the Examiner in the Official Action, additional botanical information concerning the 'BAIpome' cultivar has been diligently sought and is provided in the Substitute Specification to the extent available. Please be advised that no leaves and flowers are available for detailed observation at this time of the year. It respectfully is submitted that those skilled in plant science will have no difficulty in identifying plants of the 'BAIpome' cultivar in view of Applicants' Specification and photographs. The withdrawal of the rejection under 35 U.S.C. §112 is urged to be in order and is respectfully requested.

If there is any remaining point that requires clarification prior to allowance, the Examiner is urged to telephone the undersigned attorney so that the matter can be discussed and resolved.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: February 24, 2005

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